

**(Revised per meeting of August 5, 1998)**

**HOME INSPECTOR ADVISORY COMMITTEE  
1400 EAST WASHINGTON AVENUE, MADISON, WI  
MINUTES  
JULY 7, 1998**

**PRESENT:** Secretary Marlene Cummings, William Arnold, Jerome Baumgardt, Larry Engen, Robert Epps, Gina Gruba, Mark Jankowski, Norbert Lovata, Richard Staff, Mark Thomas

**STAFF PRESENT:** Cletus Hansen, Jacquelynn Rothstein, Barbara Showers, Tom Neumann and Duane Dorn for a portion of the meeting.

**CALL TO ORDER**

The meeting was called to order at 10:05 a.m. by Cletus J. Hansen, Administrator of the Division of Business Licensing and Regulation.

**AGENDA**

**Motion:** Robert Epps moved, seconded by Rick Staff, to approve the agenda, as published. Motion carried unanimously.

**MINUTES**

**Motion:** Mark Thomas moved, seconded by Jerry Baumgardt, to approve the minutes with amendments relating to listing Barbara Showers and Tom Neumann as present and adding a sentence concerning Tom Neumann's overview of the continuing education requirements and explanation of how the Department usually likes to set up the course approval process and the procedures whereby credential holders give evidence at renewal time of having completed the required education.

**ADMINISTRATIVE REPORT**

Secretary Marlene Cummings indicated her continued interest in the work of the committee and looked forward to today's discussion.

**UPDATE ON EXAMINATION ALTERNATIVES**

Exam Center Director, Dr. Barbara Showers, introduced, Duane Dorn, a member of her staff, who will work on the home inspector examinations. Dr. Showers passed out a revised chart which compares examinations which have been prepared by ASHI, NAHI and NAI (state of Texas). She stated that the ASHI exam is closest to being a credentialing exam.

Dr. Showers referred to her memo of June 24, 1998, which was in the meeting packet. She proposed that a state exam, based exclusively on the new home inspector statutes, be prepared

immediately and that a committee be appointed to assist the Department in preparing the exam. Meanwhile, Dr. Showers will request proposals from exam providers for a second exam which tests the knowledge of conducting home inspections. This may take up to 3 months. This committee will help the Department evaluate the proposals and the exam product. The second exam will be administered to credential holders and subsequent applicants when it becomes available. Dr. Showers said she would like the first exam to be ready by the fall of 1999.

Department staff assured the advisory committee that having a two-part exam is as legal as possible under the existing circumstances. The Department has very little choice, but to give a two-part exam. Registrations must be issued by November 1, 1998; however, a single exam which can meet the currently-acceptable standards for validity and reliability cannot be prepared by that date. The exam must meet acceptable standards, in order for the Department to be able to legally defend the exam if anyone were to challenge the validity and reliability of the exam in a lawsuit.

Duane Dorn said he needs 5-10 committee members to help him identify the types of questions on the exam and the statutes which should be tested on the exam. This group would also write exam questions. Another group of 10 people will be needed to review the questions and determine the passing score. The first group should meet within the next couple of weeks. It would consist of home inspector members of the committee or other home inspectors. Mr. Dorn submitted a list of 90 home inspectors and asked the committee members to review the list and indicate those persons who are representative of the industry. The committee members agree that Mr. Dorn's first committee should convene on July 24, 1998 (all day).

Other issues discussed: the state exam will probably be a paper and pencil exam, administered at 4 locations around the state. R&L staff should mail a copy of the statutes with application materials and these statutes should include any statutes which are referenced in the home inspector statutes. These statutes will serve as study materials for applicants.

Study materials for the second exam may, possibly be prepared by the exam provider or could include several textbooks listed in an exam brochure which is mailed to applicants. The Department will not provide pre-registration education. Applicants may want to attend courses offered by associations, institutes or vocational-technical colleges. Applicants will have to be given written notice that they will have to pass the second exam within a certain period of time, in order to continue to be registered after a certain date.

The Department may want to explore the possibility of including information on the registration certificate about the person's experience.

Two questions:

1. Must Uniform Dwelling Code inspectors take the home inspector exam if they wish to conduct home inspections? At this time it appears that the answer is yes.
2. Must the exam questions be consistent with the Wisconsin building codes? Answer: the home inspector exam should not test a knowledge of building codes.

## **STANDARDS OF PRACTICE**

Committee members were given copies of the ASHI standards, the NAHI standards, the North Carolina standards and a draft which merges the Wisconsin home inspector statutes into the ASHI standards.

The discussion relating to standards focused on several of the words or definitions in a rule draft prepared by Jacquelynn Rothstein, such as “accessible,” “component,” and “dangerous or adverse situations.” Perhaps “adverse” can be dropped from the preceding term. Jacquelyn will add a definition for “cross connection.”

Ultimately, the committee agreed that the definitions can only be fine-tuned when reading the provisions which follow them to determine exactly how the defined words are used in these provisions.

Mark Thomas pointed out several items which he would like to have inserted into the new rule. One is located on page 1, B3 of the ASHI standards, relating to inspections which go beyond the scope of the basic ASHI inspection and which may require another type of license. Also, make sure the ASHI standard on hazardous substances is in the rule in the area which describes what a home inspector is not required to do. Mark Thomas also referred to provisions relating to pests, as in ASHI, section 3.A.9.

Richard Staff and Jacquelynn Rothstein, Committee Legal Counsel, addressed whether hazardous substance language should be something like in the real estate rules--if you have actual knowledge of it being present, you must report that fact.

There was discussion of the fact that when writing rules there is always some tension between the desire to make the rules user-friendly by repeating some provisions which are in the statutes and the need to unnecessarily repeat the statutes in the rules.

## **ADMINISTRATIVE RULES RE CONTINUING EDUCATION**

Not discussed.

## **APPLICATION MATERIALS**

Clete Hansen distributed a revised draft of the Question/Answer Brochure and a preliminary draft of the registration application form.

## **MISCELLANEOUS CORRESPONDENCE/INFORMATION**

Information about licensing in other states and about books, articles and other sources noted.

## **NEXT MEETING**

The next meeting was scheduled for August 5, 1998, from 10 a.m. to no later than 3 p.m.

## **ADJOURNMENT**

By consensus, the meeting was adjourned at 12:40 p.m.